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Attorneys for Plaintiff
SONYA YRENE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SONYA YRENE, on Behalf of Herself and All
Others Similarly Situated,

Plaintiff,

vs.

THE QUAKER OATS COMPANY,

Defendant.

Case No.: 5:10-CV-05398-PSG

**STIPULATION AND ORDER
TO STAY PENDING RULING
ON MOTION TO CONSOLIDATE**

1 Plaintiff Sonya Yrene (“Plaintiff”), and Defendant The Quaker Oats Company
2 (“Defendant”), through their respective counsel of record, hereby stipulate and agree as follows:

3 WHEREAS, on December 9, 2010, in *Chacanaca and Guttman v. The Quaker Oats Co.*,
4 No. 5:10-cv-00502 RS, plaintiff Victor Guttman, plaintiff Kelly Bruno, plaintiff Rebecca Yumul,
5 and Plaintiff in the present action filed a Motion to Consolidate and Appoint Interim Class Counsel,
6 seeking consolidation of the following three actions: (1) *Robert Chacanaca and Victor Guttman v.*
7 *The Quaker Oats Company*, No. 5:10-cv-00502 RS (N.D. Cal., filed February 3, 2010)
8 (“*Chacanaca/Guttman* Action”); (2) *Sonya Yrene v. The Quaker Oats Company*, No. 5:10-cv-
9 05398 PSG (N.D. Cal., filed November 29, 2010); and (3) *Kelley Bruno and Rebecca Yumul v. The*
10 *Quaker Oats Company*, No. 4:10-cv-05538 DMR (N.D. Cal., filed Dec. 7, 2010);

11 WHEREAS, a hearing on the Motion to Consolidate is scheduled for January 13, 2011,
12 before the Honorable Richard Seeborg, presiding over the *Chacanaca/Guttman* Action;

13 WHEREAS, counsel for the Plaintiff and Defendant have conferred regarding the most
14 efficient way to proceed;

15 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Plaintiff and
16 Defendant, through their respective counsel and subject to the Court’s approval that:

17 1. All pending dates in this matter, including but not limited to the time to answer, all
18 discovery, and all dates set forth in the Order Setting Initial Case Management Conference and
19 ADR Deadlines (Dkt. #3), are stayed pending a ruling by the *Chacanaca/Guttman* Court on the
20 Motion to Consolidate;

21 2. If the Motion to Consolidate is denied, Quaker shall have 60 days from the denial of
22 the Motion to Consolidate to file a response to the Complaint, and the parties shall inform the Court
23 that a new Order Setting Initial Case Management Conference and ADR Deadlines should be issued
24 based on the Court’s availability;

25 3. If the Motion to Consolidate is granted, Plaintiffs and Defendant agree that all
26 discovery shall continue to be stayed pending a ruling by the *Chacanaca/Guttman* Court on
27 Quaker’s motion to dismiss the Consolidated Amended Complaint, with the exception that, subject
28

1 to the entry of an appropriate protective order, Quaker will produce some additional documents that
2 it has already collected in the *Chacanaca/Guttmann* case.

3 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD

4 Dated: December 21, 2010

ARNOLD & PORTER LLP

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7 By: /s/ Angel A. Garganta
Angel A. Garganta
8 Attorney for Defendant
The Quaker Oats Company

9
10 Dated: December 21, 2010

LAW OFFICES OF RONALD A. MARRON,
APLC

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12
13 By: /s/ Ronald A. Marron
14 Ronald A. Marron
Attorney for Plaintiff Sonya Yrene

15
16 Dated: December 21, 2010

THE WESTON FIRM

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19 By: /s/ Gregory S. Weston
20 Gregory S. Weston
Jack Fitzgerald
Attorneys for Plaintiff Sonya Yrene

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22 PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

23 Dated: December 22, 2010

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25
26 Paul S. Grewal
Honorable Paul Singh Grewal
27 United States Magistrate Judge
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NOTICE OF ATTESTATION

I, Angel A. Garganta, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER TO STAY PENDING RULING ON MOTION TO CONSOLIDATE. In compliance with General Order 45, X.B., I hereby attest that Plaintiff's counsel has concurred in this filing.

DATED: December 21, 2010

ARNOLD & PORTER LLP

By: /s/ Angel A. Garganta
Angel A. Garganta